



Norton Conservation Commission

70 East Main Street
Norton, MA 02766

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NORTON TOWN CLERK

Monday, June 25, 2007
7:00 pm

Attendance

Earl Willcott (Chairman), Bob Medeiros (Vice-Chairman),
Ron O'Reilly, Kathleen Giblin, Eileen King,
Jennifer Carlino, Conservation Agent

Lisa Carrozza & Julian Kadish were absent.

Minutes

The members reviewed the Bills Payable Sheet (Nextel). Bob Medeiros made a motion, seconded by Kathleen Giblin, to pay the bill. Approved.

The members reviewed the Bills Payable Sheet (ESS Group). Bob Medeiros made a motion, seconded by Ron O'Reilly, to pay the bill. Approved.

The members reviewed a Notice of Intent – **(#250- 775) – Riley Lamson, LL Investments – Parcel 6 (assessors map 36) East Hodges Street – (cont. from the May 21, 2007 mtg.)** - for proposed plans to construct 2 houses within 100 feet of wetlands and to cross an intermittent stream. Earl Willcott stated the applicant has requested a continuance of the public hearing until the regular meeting of Monday, August 13, 2007. Bob Medeiros made a motion, seconded by Kathleen Giblin, to continue the public hearing until the regular meeting of Monday, August 13, 2007. Approved.

The members reviewed a Request for a Determination of Applicability -- **(DET. #902) – Wendell Jackson – Parcels 23 & 169 (assessors map 22) 199 West Main Street** – for proposed plans to repair/replace a sanitary disposal system within 100 feet of wetlands. John F. Vance, Jr., engineer for the applicant, described the project to the members. He stated the applicant proposes to use the existing 1500-gallon tank and repair the system and at least 50% of the new repairs are within the 100-ft. buffer zone of the wetlands. He said the first floor of the house is zoned commercial and the top floor is zoned residential. Mr. Vance stated the garage and house have their own septic system. Bob Medeiros made a motion, seconded by Ron O'Reilly, to close the public hearing. Approved. Bob Medeiros made a motion, seconded by Kathleen Giblin, to issue a negative (#3) Determination of Applicability as long as the work is done according to the approved plans. Approved.

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The members reviewed a Request for a Determination of Applicability – **(DET. #903) – Bonnie Goodwin – Parcel 197 (assessors map 27) 155 So. Worcester Street** – for proposed plans to repair/replace a sanitary disposal system within 100 feet of wetlands. John F. Vance, Jr., engineer for the applicant, submitted revised plans and described the project to the members. He explained a Determination had already been issued for this project but the pump system proposed was too close to the property line per the Board of Health. He stated the system was revised to a gravity system which was moved slightly forward. Mr. Vance stated the back yard was a mess with bamboo growing everywhere and the new owners might want to clear this out. He said a separate filing would be required for any further work at the rear of the property. Bob Medeiros made a motion, seconded by Ron O'Reilly, to close the public hearing. Approved. Bob Medeiros made a motion, seconded by Ron O'Reilly, to issue a negative (#3) Determination of Applicability as long as the work is done according to the approved plans. Approved.

The members reviewed a request for a Certificate of Compliance for File **#250-717 – Stephen Akerman – parcel 93-05 (map 18) 6 Beverly Lane**. Jennifer Carlino stated the applicant will be submitting additional information and a request for a modification to the Order of Conditions. Bob Medeiros made a motion, seconded by Kathleen Giblin, not to issue the Certificate of Compliance at this time. Approved.

The members reviewed a request for a Certificate of Compliance for File **DET. #297 – Paul Miller – (Lot 62) parcel 94, (map 28) 34 Margaret Drive**. Jennifer Carlino stated this project was for the construction of the house only. She stated the homeowner is in the process of resolving a violation on the property with only one issue left to fix. Bob Medeiros made a motion, seconded by Kathleen Giblin, to issue the Certificate of Compliance. Approved.

The members reviewed a minor modification to File **#250-755 – Steven Giblin – parcel 4 (map 24) 170 Pine Street**. Jennifer Carlino stated the only modification was the electrical, sewer and water to be installed up the driveway. Kathleen Giblin made a motion, seconded by Ron O'Reilly, to accept the modification as minor without requiring any further applications. Approved.

The members reviewed a request for a modification to the Order of Conditions for File **#250-754 – Phillip Ibrahim - parcel 98 (map 32) – John Scott Boulevard**. Jennifer Carlino requested that the plan accurately show the no-disturbance zone at the limit of work. She told Mr. Ibrahim to revise the plan and show up at the next regular meeting of Monday, July 9, 2007.

The members reviewed a modification to File **#250-673 – 14 Johnson Drive**. Bob Medeiros recused himself from the meeting. Angelo Pasqualino, owner explained the modification to the members. He stated he would like to move the limit of work to 30 feet from the wetlands in order to increase the back yard. Jennifer Carlino asked when electricity would be installed and Mr. Pasqualino replied that as soon as the telephone poles are installed, the electricity would be installed. Jennifer reminded Mr. Pasqualino that he cannot run another conduit through the wetlands and stream as he previously had done for his attorney Bland's house. Jennifer Carlino asked Mr. Pasqualino if he had brought his list of unfinished projects with him that she had written down for him at his request. He stated 90% of the list

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was finished. Jennifer Carlino told Mr. Pasqualino that she specifically requested he bring this list to tonight's meeting in order to explain to the Commission members where he was on the list and what items he had to finish. He asked Jennifer Carlino if she had a copy of the list and Kathleen Giblin gave him one. Mr. Pasqualino stated the GIS Data Sheet had been submitted today. She asked Mr. Pasqualino if it had been sent to the correct place and he stated he thought it had been. She asked Mr. Pasqualino where it should have gone and he stated to the State. He said he was under the assumption the form was given to the Commission as well as the State. Jennifer Carlino requested he bring in proof of mailing to the State and Mr. Pasqualino said he would bring this information to her tomorrow.

Angelo Pasqualino stated Conservation Restriction signs had been purchased and his engineer, Ralph Maloon, was going to install them in the field per a map Jennifer Carlino had provided to him a second time. Jennifer Carlino stated the next item was Acknowledgement forms for each lot which, she emphasized, had been requested to be in the Order of Conditions by Angelo Pasqualino, have not yet been submitted after three years. Angelo stated he had all of them but three and would submit these tomorrow.

Jennifer Carlino emphasized that after two hours of discussion in her office, it was agreed Mr. Pasqualino was to bring to tonight's meeting all requested information on the list and he has not. Angelo Pasqualino apologized and stated he did not realize she wanted him to bring this information with him to tonight's meeting, and Jennifer Carlino emphasized strongly that after two hours of discussion in her office he should have known this.

Angelo stated the next item on the list as posting the bond for lot 11, #10 Johnson Drive and he said he thought this was already done. Jennifer Carlino stated a partial Certificate of Compliance had been requested in March, 2006 and approved at the following meeting with a requirement to post a bond with the Town Treasurer before issuing the Certificate. She said the bond was never posted and the Certificate never issued.

Jennifer Carlino suggested postponing discussion on the modification to the Order of Conditions for **File #250-673** until all the information on the list was submitted. Angelo requested to begin construction on this house and when he had the requested information, come back before the Commission for the modification. Jennifer Carlino explained to Mr. Pasqualino that he should read his Order of Conditions for this lot very carefully and he will then know exactly what steps he has to take before starting the construction of this house. He stated he had purchased five trees to be planted and wanted Jennifer Carlino to go to the site and mark where they should be planted. She then, again, told Mr. Pasqualino to read the Order of Conditions very carefully which she again emphasized she had gone over with him in great detail. Jennifer Carlino asked Mr. Pasqualino if he would have all requested information submitted for the next meeting and he replied that he should.

She stated she would put the modification on the next agenda if he would have all the required information at that time. He replied he would. He again asked if he could begin construction on this house and again Jennifer Carlino told him to read the Order of Conditions, and if he met all the pre-construction conditions, he could then begin. She again stated that he did not have approval to begin

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construction at this time. She explained it was a superceding Order and Angelo Pasqualino needs DEP approval before it is approved.

The members reviewed a modification to File **#250-677 – 16 Johnson Drive**. This modification was incorporated with the previous request for File **#250-673**.

The members reviewed the Order of Conditions for Notice of Intent – (#250-741) – Jacqueline Gill – Parcel 133 (assessors map 19) 65 King Philip Road which was sent to the members with the agenda for review. Kathleen Giblin abstained from voting. Bob Medeiros made a motion, seconded by Ron O'Reilly, to sign and issue the Order of Conditions a written. Approved.

Jennifer Carlino stated an application for a Notice of Intent had been received from Chris Yarworth of Yarworth Engineering Co., Inc. She stated the application was for construction of two houses with a common driveway. She said she has informed Mr. Yarworth several times that construction of more than one house per permit is not acceptable and for him to take back the application and separate the houses. The members agreed to have Mr. Yarworth re-file correctly.

Jennifer Carlino presented several violation letters and had Earl Willcott sign or initial them:

1. Norton Chateau – cleaning windows and water running into Lake Winnecunnet. Owner stated he will resolve this matter.
2. Norton Limo – letter sent stating a large metal carport blown into wetlands behind business and requested to remove.
3. 135 No. Worcester Street – owners have been collecting large amounts of trash on property and are requested to remove the trash.

The members reviewed and signed an Enforcement Order for 10 Richmond Drive. Jennifer Carlino stated the owner had already cut vegetation beyond what was permitted in a previous application. She stated before grading was done the owner was going to get a permit but already graded without the permit. Ron O'Reilly made a motion, seconded by Kathleen Giblin, to send the Enforcement Order as written. Approved.

The members reviewed and signed an Enforcement Order for Clear Channel, the owner of the advertising billboard on West Main Street. Jennifer Carlino stated paper scrapings from the billboard were strewn all over and have gotten into the stream. She stated brush had been cut and cleared in front of the bill board which is within wetlands. Kathleen Giblin made a motion, seconded by Ron O'Reilly, to send the Enforcement Order as written. Approved.

Jennifer Carlino stated the two bidders for the Lake Winnecunnet project would be coming to the next meeting and she would like the members to write down any questions they would like to ask.

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Bob Medeiros made a motion, seconded by Kathleen Giblin, to adjourn the meeting at 7:43 pm.
Approved.

Respectfully Submitted,



Jennifer Carlino
Conservation Director

JC/pmb